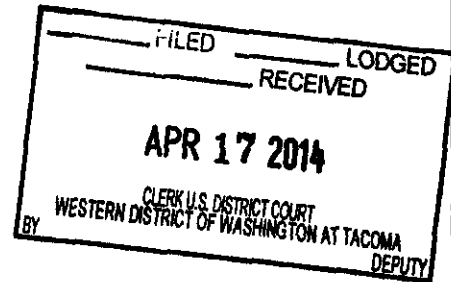


Honorable Ronald B. Leighton



12-CV-06027-ORD



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLAUDIA R.D. CLAVETTE,

Plaintiff,

vs.

SKAMANIA COUNTY SHERIFF,

Defendants.

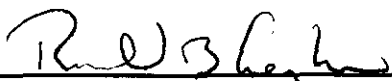
No. 3:12-cv-06027-RBL

~~[PROPOSED]~~ ORDER GRANTING
DEFENDANT SKAMANIA COUNTY
SHERIFF'S MOTION FOR JUDGMENT
ON THE PLEADINGS PURSUANT TO
FED.R.CIV.P. 12(C)

THIS MATTER is before the Court on Defendant Skamania County's Motion for Judgment on the Pleadings pursuant to Fed. Rule Civ. P. 12(c). Skamania County Sherriff asserts plaintiff has not stated a claim which entitles her to relief as required by Fed. Rule Civ. Proc. 8(a). On April 7, 2009, a search warrant which was later ruled unlawful was executed by Washington Department of Fish and Wildlife, and several items of plaintiff's property were confiscated. Although plaintiff's property was returned on February 11, 2010, she claims that the property was damaged while it was in the custody of the Washington Department of Fish and Wildlife. Plaintiff filed her Complaint on December 5, 2012, although permission to proceed was not granted until March 1, 2013.

1 This Court has already granted two motions to dismiss because they are time-barred by
2 the lack of limitations. This Court notes once more that in this district, § 1983 claims are
3 subject to the Wash. Rev. Code § 4.16.080(2)'s three-year limitations period. *See Bagley v.*
4 *CMC Real Estate Corp.*, 923 F.2d 758, 760 (9th Cir. 1991). The period begins tolling when
5 "the plaintiff knows or has reason to know of the injury." *Two Rivers v. Lewis*, 174 F.3d 987,
6 991 (9th Cir. 2008). Clavette's claims are subject to a 3 year limitations period. Plaintiff's
7 claims are time-barred and Skamania County Sheriff's for Judgment on the Pleadings is
8 GRANTED in favor of Skamania County Sheriff. Plaintiff's claims against Skamania County
9 Sheriff are DISMISSED WITH PREJUDICE.

10
11 Dated this 17th day of April, 2014.

12
13 
14 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE